

**Federal Defenders
OF NEW YORK, INC.**

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November 4, 2022

Judge Dora L. Irizarry
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *United States v. Kara Sternquist, 22-cr-473*

Dear Judge Irizarry:

Kara Sternquist's legal gender is female. Her driver's license, passport, and social security records reflect that by using female gender markers. The government does not dispute this. Yet, the BOP has her sex listed in their database as male. As a practical matter, this means that the guards watching her hospital room and hospital staff (at least when they first meet her) are regularly mis-gendering her. This is causing Ms. Sternquist unnecessary and completely avoidable stress. This mis-gendering by correctional officials is also in violation of the BOP's own Transgender Offender Manual, which states that "[d]eliberately and repeatedly mis-gendering an inmate is not permitted." BOP Program Statement on Transgender Offenders, 5200.08, January 13, 2022, at Section 12. I, therefore, respectfully request that the Court order the BOP to change Ms. Sternquist's gender marker to female. Attached is a draft order for your review.

The government has offered no valid reason not to do so. Indeed, the government and MDC have been aware that Ms. Sternquist's legal gender was female since the outset of this case almost two months ago when, on September 21, 2022, Judge Bulsura ordered the MDC to house Ms. Sternquist in the women's unit. After initially failing to comply with the order, MDC did move Ms. Sternquist to the women's unit on approximately September 24, 2022. *See* Dkt. 17.

In a subsequent hearing on Oct. 19, 2022, Judge Bloom ordered the MDC to change Ms. Sternquist's name to her legal one by November 2. I had incorrectly assumed that the change to her correct name would also encompass a change to her correct gender. On the morning of November 3, the BOP website reflected that Ms. Sternquist's name was updated; her gender, however, is still listed as male.¹

- ① Name:** KARA STERNQUIST
- Register Number:** 44404-061
- Age:** 39
- Race:** White
- Sex:** Male
- Release Date:** UNKNOWN
- Located At:** MDC Brooklyn

As discussed at yesterday's hearing, changing Ms. Sternquist's gender marker in the BOP system to the correct one, so her "sex" is listed as "F," for female, would not result in any other changes in the substance of her medical or other records. Those records could and presumably would still continue to accurately explain that Ms. Sternquist is a transgender woman. However, they would also accurately reflect her current gender as female. For example, the hospital records, which adopted the BOP name and gender, list her old name and old gender at the top of each page:

STERNQUEST, MICHAEL	MRN: [REDACTED]	DOB: [REDACTED]	Age: 38y	M
7W-770-A	Admit Date: Sep-27-2022	Provider: Mehu, Anunziata		ADM

The body of the records already note that she is a transgender woman, and discuss her transition. There nothing wrong about that accurate report of her transition; our request to change her gender marker is not a request to change anything about the substance of her past or future medical records. The substance of her records would remain unchanged. What would change, if the Court grants our request, is that her gender would be correctly listed as female, just as it is in United States and New York State government documents.

¹ This morning, I reached out to staff at the Brooklyn Hospital Center to let them know that the BOP had changed her name to her legal name and inquire about the procedure to have it fixed on her hospital records going forward.

The government has offered no explanation why Ms. Sternquist's gender in the BOP system should not conform to her legal gender. There is none.

I, therefore, respectfully request that the Court order the BOP to change Ms. Sternquist's gender marker to female. Thank you for your time and consideration.

Sincerely,

/s/
Allegra Glashausser
Assistant Federal Defender

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

v.

ORDER

22-cr-473

KARA STERNQUIST

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Magistrate Judge Lois Bloom:

The Metropolitan Detention Center shall change Ms. Kara Sternquist's gender marker in the BOP database from male to female. Her gender marker, whether titled "gender" or "sex," should be female, or "F." This change shall be completed within two days of the signing of this order.

Ms. Sternquist is listed in the BOP registry under number 44404-061.

So Ordered.

Hon. Dora L. Irizarry
United States District Judge

Dated: November __, 2022
Brooklyn New York